

CHAPTER 1.6 DEFINITIONS

Section 1.6.10 - GENERAL MEANING OF WORDS

All words and terms assume their dictionary definitions unless they are specifically defined in this Code or the context in which they are used clearly indicates to the contrary.

Section 1.6.20 - COMMON WORDS

- a. All words in present tense include the future tense.
- b. All words in plural include the singular, and all words in singular include the plural unless the context clearly indicates to the contrary.
- c. The word "shall" is mandatory and the word "may" is permissive.
- d. The word "building" includes the word "structure."
- e. The phrase "used for" includes the phrases "arranged for," "designed for," "intended for," "maintained for," and "occupied for."
- f. The words "land" and "property" are used interchangeably unless the context clearly indicates to the contrary.
- g. The words "lot" and "parcel" are used interchangeably unless the context clearly indicates to the contrary.

Section 1.6.30 - SPECIFIC WORDS AND TERMS

Abutting Lots - Two or more lots joined by a common boundary line or point.

Access - Place, means, or way by which ingress and egress are provided (see also definition for "Solar Access").

Accessory Structure - Structure customarily incidental and subordinate to the main use of property and located on the same lot as the main use; freestanding and structurally separated from the main use.

Accessory Use - Use customarily incidental and subordinate to the main use of a property and located on the same lot or site as the main use.

Accessway - Narrow strip of land connecting a parcel to a public street right-of-way or a private street located within its own separate tract. The accessway ensures access to the parcel. Actual pavement widths within an accessway are in accordance with the City's Off-Street Parking and Access Standards established by and available through the City Engineer and amended over time.

Acre - Unit of land equal to 43,560 sq. ft.

Actual Construction - Permanent placing and fastening of construction materials.

Affordable Housing - Housing for which ownership costs (mortgage loan principal, interest, property taxes, and insurance) or rental costs (unit rent and utilities) require no more than 30 percent of the gross monthly income of a household that has income at or below 80 percent of the Corvallis area median. The Corvallis area median is calculated annually by the U.S. Department of Housing and Urban Development (HUD) and applied based on household size. *Note: These numbers are updated annually by HUD and are on file in the City's Housing Division.*

Agriculture - Nursery, horticulture, and similar activities for the cultivation of commercial crops; pasturing, breeding, dairying, and similar uses of animals; and poultry farming for commercial use. Does not include processing, slaughtering, large-scale poultry farming, or forestation.

Alley - Public or private right-of-way designed and intended to serve as secondary access to the side or rear of those properties having a street as primary access.

Alteration - Change, addition, or modification in construction or occupancy of a building or structure.

Apartment - Dwelling unit located within a multi-dwelling, but excluding condominiums. ("Multi-Dwelling" is defined under "Building Types.")

Application - Materials submitted or to be submitted.

Area, Gross - Total area of a parcel or site, usually expressed in acres.

Area, Net - Total area of a parcel or site, usually expressed in acres and excluding existing public street rights-of-way and, if a developer desires, excluding public parks, significant natural feature areas dedicated to the public, and/or other areas permanently precluded from development due to development constraints or conservation easements. Planned streets shall not be excluded from the net area.

Average Setback - The formula for determining Average Setback is as follows:

$$AS = (y_1 \times SD_1) + (y_2 \times SD_2)$$

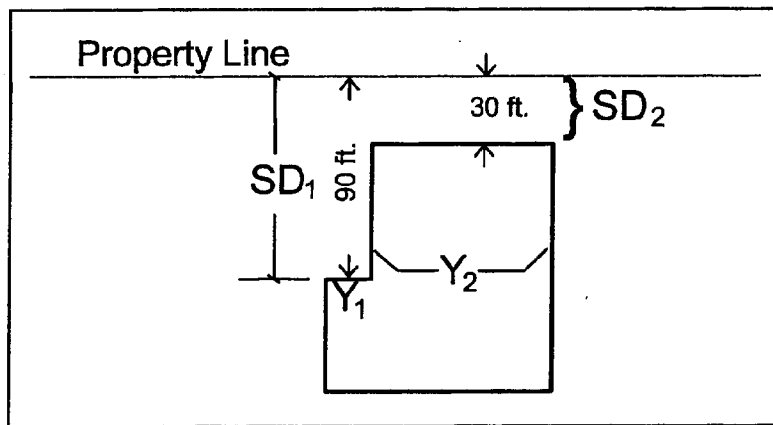
where:

AS = Average Setback
y = Percent of wall length at a particular distance from property line
SD₁ = Farthest Setback Distance (actual distance from property line)
SD₂ = Closest Setback Distance (actual distance from property line)

Example: Average Setback = 50 ft.

$$\begin{array}{rcl} y_1 & = & 0.33 \text{ (33\%)} \\ SD_1 & = & 90 \text{ ft.} \\ y_2 & = & 0.67 \text{ (67\%)} \\ SD_2 & = & 30 \text{ ft.} \end{array}$$

$$(0.33 \times 90) + (0.67 \times 30) = 50\text{-ft. average setback}$$



Base Flood Event - Flood event during periods of higher than normal stream flow that has a 1 percent chance of being equaled or exceeded in any given year. A base flood event affects the relatively flat area lying adjacent to a river or stream that is covered by water when the river or stream overflows its banks. This flat area is commonly referred to as the 100-year flood plain. See "Flood Plain."

Block - Tract of land bound by a street or a combination of streets and public parks, cemeteries, railroad rights-of-way, drainageways, pedestrian connections, or unsubdivided land.

Bond - Form of security in an amount and form satisfactory to the City. See "Performance Guarantee" in section 2.4.40.08.01.

Buffer - Area designed to provide space or distance, obstruct undesirable views, serve as an acoustic barrier, or generally reduce impacts of adjacent development.

Building - Structure having a roof supported by columns or walls and used or intended for the shelter, housing, or enclosure of any individuals, animals, processes, equipment, goods, or materials of any kind.

Building Envelope - Portion of a lot or development site exclusive of the areas required for front, side, and rear yards and other required open spaces; and which is available for siting and constructing a building or buildings.

Building Height - See "Height of Buildings."

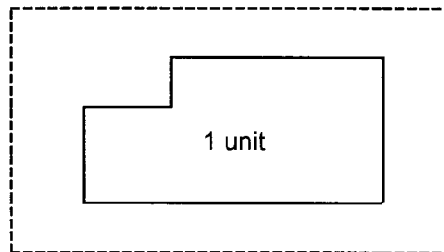
Building Line - Line on a plat indicating the limit beyond which buildings or structures may not be erected, or the minimum distance as prescribed by this Code between the property line abutting a street and the closest point of the foundation of any related building or structure.

Building Official - Development Services Manager.

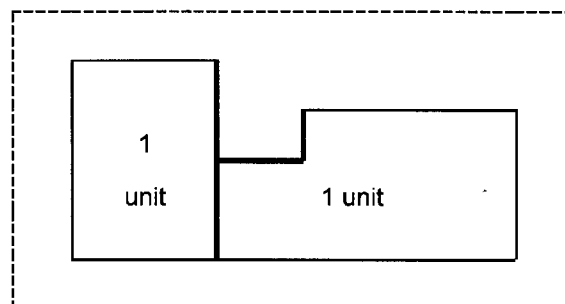
Building Types

a. **Nonresidential** - Group of building types comprising the following:

1. **Detached** - One main building, freestanding and structurally separated from other buildings.

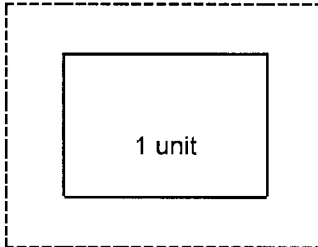


2. **Attached** - Two or more main buildings placed side by side so that some building walls are in common for a minimum length of 5 ft. Fences, trellises, etc. attached between buildings do not create "attached" structures.

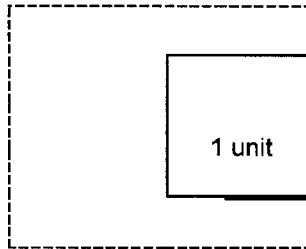


b. Residential - Group of building types comprising the following:

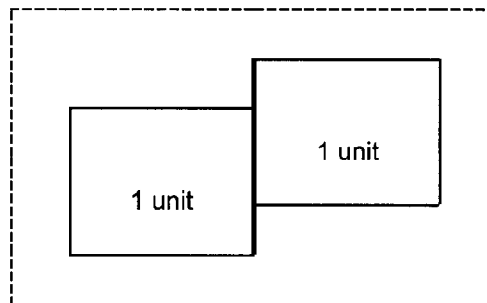
1. **Single Detached** - One dwelling unit, freestanding and structurally separated from other dwelling units or buildings, located on a lot or development site. Includes manufactured homes.



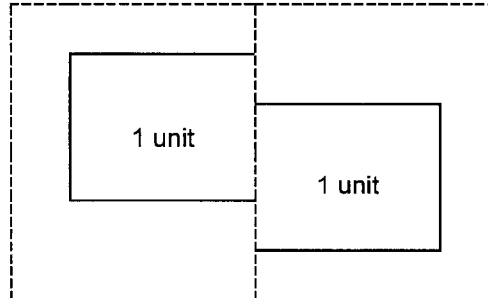
2. **Single Detached (Zero Lot Line)** - One dwelling unit, freestanding and structurally separated from other buildings, with no setback from one lot line.



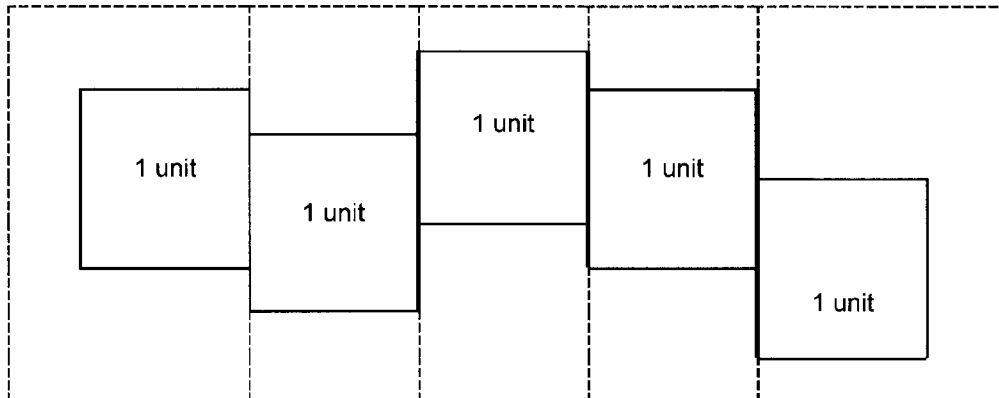
3. **Duplex** - Two dwelling units on a single lot placed side by side so that some building walls are in common for a minimum length of 5 ft. Fences, trellises, etc. attached between buildings do not create "attached" units. "Stacked" duplex units (where one unit is on top of another) are acceptable.



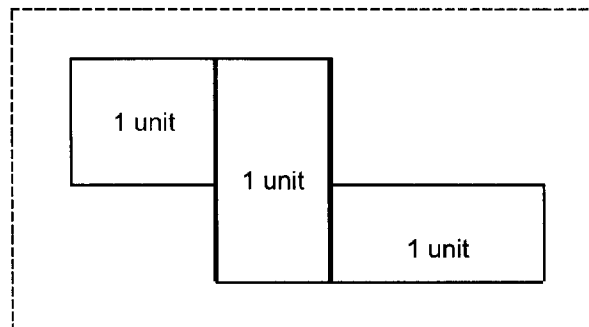
4. **Single Attached (Zero Lot Line)** - Two dwelling units on separate lots but placed side by side so that some building walls are in common for a minimum length of 5 ft. at a common property line. Fences, trellises, etc. attached between buildings do not create “attached” structures.



5. **Attached** - Three or more dwelling units on separate lots, but placed side by side so that some building walls are in common for a minimum length of 5 ft. at a common property line. Fences, trellises, etc. attached between buildings do not create “attached” structures.



6. **Multi-Dwelling** - Three or more dwelling units in any vertical or horizontal arrangement, located on one lot or development site, and where some building walls are in common for a minimum length of 5 ft. Fences, trellises, etc. attached between buildings do not create “attached” units.



7. **Manufactured Dwelling Facility** - A facility where four or more manufactured or mobile homes are within 500 ft. of one another on a lot, tract, or parcel of land under the same ownership. The primary purpose of the facility is to rent spaces for manufactured or mobile homes. The applicable Oregon Revised Statutes that pertain to manufactured dwellings and facilities are ORS 197.314, ORS 197.307(5), ORS 197.475 through 197.490, and ORS 446.003 through 446.285.
 8. **Accessory Dwelling Unit** - One dwelling unit, either detached or structurally attached, located on the same lot as at least one other dwelling unit. Provisions for accessory dwelling units require that the owner of the lot occupy either the principal residence or the accessory unit. Refer to section 4.9.40 of Chapter 4.9 - Additional Provisions for additional development standards.
- c. The following terms are **not** considered building types for purposes of this Code, but some are considered housing types for the purposes of meeting Code requirements for housing type variations. See "Housing Types."
1. **Cluster** - Dwelling units arranged to retain open space areas equal to or greater than the cumulative total open space areas normally required under the applicable zone; the permitted gross density of a site is maintained.
 2. **Condominium** - Form of ownership where the owner has a deed to a volume of space; governed by the provisions of ORS Chapter 100.
 3. **Townhouse** - Three or more attached dwelling units, each on a separate lot, often with two stories and with ground floor access.
 4. **Rowhouse** - Three or more attached dwelling units, each on a separate lot.
 5. **Triplex, Fourplex, Fiveplex, Sixplex, etc.** - Multi-dwelling with three or more attached dwelling units on the same lot.
 6. **Apartment House** - Multi-dwelling building or portion thereof designed, built, rented, leased, let, or hired out to be occupied; or the residence of three or more families living independently of one another.

Carport - Roofed structure or a portion of a building open on two or more sides; used primarily for parking of motor vehicles.

Cemetery - Land used or intended to be used for burial of the dead and related cemetery activities, including columbarium, crematoriums, mausoleums, and mortuaries, when operated in conjunction with and within the boundary of the cemetery.

Church - Permanently located, fully enclosed building used primarily for religious worship.

City - City of Corvallis, a municipal corporation of the State of Oregon, involved in activities in either its governmental or its corporate capacity; otherwise, that officer, department, or agency of the City indicated by the context; or City Manager where the context does not clearly indicate a specific officer, department, or agency.

Comprehensive Neighborhood - A primarily residential area that offers a range of uses to provide for the daily needs and activities of residents within easy walking distance of residences. Comprehensive neighborhoods contain a variety of housing opportunities, at overall densities that can support appropriately scaled commercial development and viable public transportation. The core of a comprehensive neighborhood contains a Major Neighborhood Center that serves community-wide shopping and office needs. The design of a comprehensive neighborhood fosters a sense of community with safe, vital public areas, while working to ensure compatibility and effective transitions between diverse uses.

Conservation Easement - Nonpossessory interest of a holder in real property imposing limitations or affirmative obligations, the purposes of which include retaining or protecting natural, scenic, or open space values of real property; ensuring its availability for agricultural, forest, recreational, or open space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archaeological, or cultural aspects of real property. Also defined in ORS 215.715.

Consolidation - Elimination of property line(s) of unplatted land to create a single unit of land.

Contiguous - Same as "abutting," except that properties separated by a street may also be considered contiguous.

Cupola - Small dome or tower-like structure on a roof.

Day(s) - Calendar days unless working days are specified.

Day Care, Commercial Facility - Institution, establishment, or place that commonly receives at one time more than 12 persons, for a period not to exceed 12 hours per day. The facility provides the persons with board, care, or training apart from their parents or guardians for compensation or reward in accordance with ORS 657A.250-440. Refer to section 4.9.70 of Chapter 4.9 - Additional Provisions for additional development standards (area per child and buffering).

Day Care, Family - "Babysitting," care of 12 or fewer children, including resident family members, as accessory to any residential use. Family day care is not subject to the definition of "Home Business."

Density Calculation - Density is calculated as either gross density or net density. The minimum density for a site is net density and the maximum density is gross density.

- a. **Density, Gross** - Number of dwelling units per gross area, in acres. Gross acreage refers to all acreage in a development site. Additionally, in calculating gross density

for a Minor Land Partition site, applicants may include in their acreage calculation 50 percent of the area of any street rights-of-way that front the subject site (for the distance the streets front the subject site).

- b. **Density, Net** - Number of dwelling units per net area, in acres. Net acreage refers to all acreage in a development site minus (excluding) public parks, publicly dedicated significant natural feature areas, and/or other areas permanently precluded from development due to development constraints and/or conservation easements. Note: Planned streets shall not be excluded from net acreage.

Density Transfer - Permits residential density on a single tax lot or adjoining tax lots under a single development application to be shifted from one part of a site to another part of the same site. Density transfer does not permit a net increase in density for the entire site; however, it can specify that more intense residential building types are permitted within the area of the site that is to receive the density transfer.

Developer - Any person, including a governmental agency, undertaking development.

Development - Making a material change in the use or appearance of a structure or land, dividing land into two or more parcels, changing the land use designation, or creating or terminating a right of access. Where appropriate to the context, development refers to the act of developing or the result of development.

Development Constraints - Conditions that preclude development of an area such as location within a 4th-level water service area, geologic hazards, or significant natural feature areas that require preservation or are permanently preserved via a conservation easement.

Development, Intensity of - Relative measure of development impact as defined by characteristics such as the number of dwelling units per acre, amount of traffic generated, and amount of site coverage.

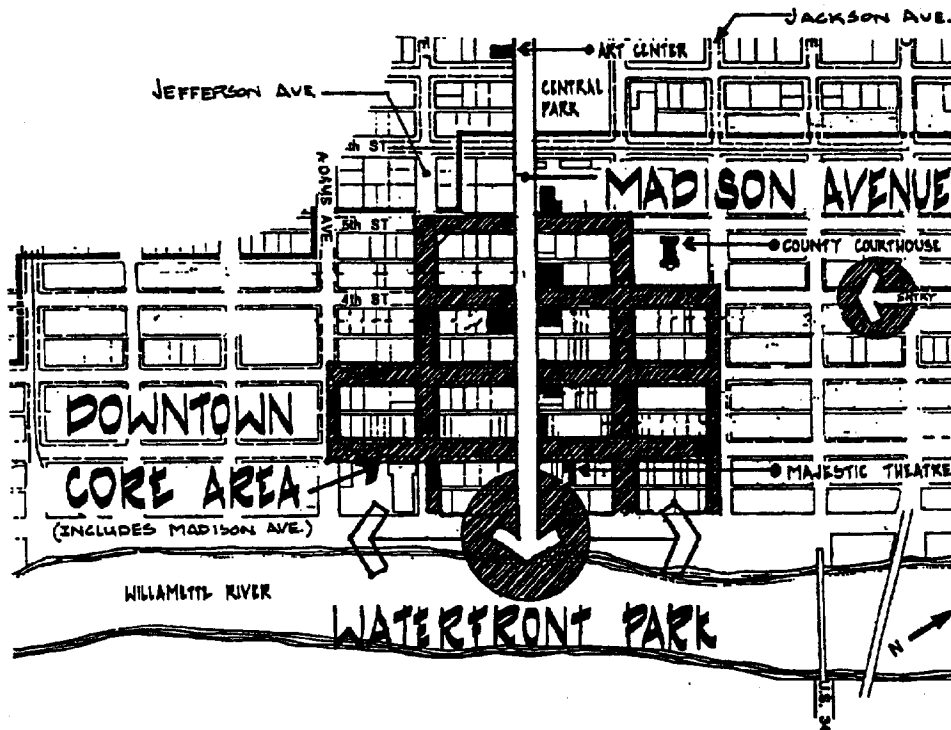
Development Site - Legally established lots or parcels of land occupied or capable of being occupied by a building or group of buildings including accessory structures and accessory uses, together with yards or open spaces, setback areas, and access as required by this Code.

Director - Community Development Director of the City of Corvallis, or the Director's official designee, with responsibility for administration of this Code.

Discontinued Use - Non-use; a use that has ceased to be active. Shall not require a determination of the voluntary or involuntary nature of the discontinuance or intent to resume the use. Rental payments or lease payments and taxes are not considered a continued use.

Downtown Pedestrian Core Area - Area bound by the Willamette River on the east, Fifth Street on the west, Jackson Avenue on the north (excluding the Benton County

Courthouse), and Jefferson Avenue on the south (including Adams Avenue between Second and Third Streets).



Downtown Residential Neighborhood - Area generally bound by Sixth Street on the east, Ninth Street on the west, Fillmore Avenue on the north, and Mary's River on the south. This area is intended to provide housing in close proximity to the Central Business Zone and is identified by the map following Comprehensive Plan Finding 13.5.n.

Drainageway - Natural or artificial watercourse, including adjacent riparian vegetation, that transmits natural stream or stormwater runoff from a higher elevation to a lower elevation.

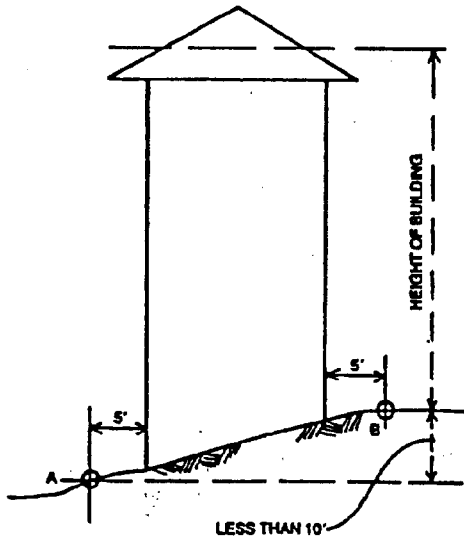
Drive-Through Facilities - Facilities that provide services directly to patrons in motor vehicles. Typically, these types of facilities rely on a long driveway or lane that provides adequate room for vehicle stacking at a drive-up service window.

Dwelling Unit - One or more rooms, with bathroom and kitchen facilities (limited to one kitchen only), designed for occupancy by one family. See "Family."

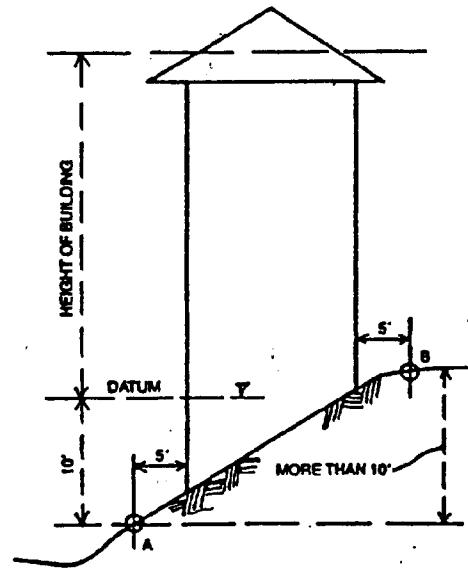
Easement - Right that a person has to use another's land for a specific purpose, such as for access or for utilities.

Effects of Buoyancy - Uplift force of water on a submerged or partially submerged object.

- a. Elevation of the highest adjoining sidewalk or ground surface within a 5-ft. horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 ft. above lowest grade.



- b. Elevation 10 ft. higher than the lowest grade when the sidewalk or ground surface described in "a" is more than 10 ft. above lowest grade.



Hearing Authority - City Council or an agency or officer of the Council designated by this Code to conduct public hearings regarding applications for development.

Home Business - Lawful commercial activity commonly conducted within a dwelling by members of the family occupying the dwelling, with up to one additional employee not to exceed 40 hours per week. The residential character of the dwelling shall be maintained and the activity conducted in such a manner as not to give an outward appearance nor manifest any characteristic of a business in the ordinary meaning of the term. The activity also does not infringe upon the right of neighboring residents to enjoy the peaceful occupancy of their homes. Garage sales are considered to be home businesses. Bed and breakfast businesses that rent up to two bedrooms within owner-occupied dwellings are also considered to be home businesses. To be considered a home business, the use must comply with all of the following:

- a. No display shall indicate from the exterior that the building is being used in whole or in part for any purpose other than a dwelling, except that signage consistent with section 4.7.90.01 of Chapter 4.7 - Sign Regulations is allowed. Garage sales are exempt from this provision.

- b. No outside storage of merchandise or materials. Garage sales are exempt from this provision.
- c. The amount of commercial activity is less intensive than activities permitted in a commercial zone.
- d. The use will not cause excessive or unusual traffic in the vicinity because of deliveries, pick-ups, parking, sales, or other activities.
- e. Noise, smoke, or odors do not exceed those created by normal residential use.
- f. Each garage sale is limited in duration to two consecutive days. No more than six garage sales in one calendar year may be conducted at a residence.

Home Occupation - See "Home Business."

Homeowners' Association - Private, incorporated, nonprofit organization operating under recorded land agreements through which each lot owner of a Planned Development or other described land area is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property. Homeowners' associations are authorized by ORS Chapter 94 and are not City government organizations.

Household - Domestic establishment including a member or members of a family and/or others living under the same roof.

Housing Types - Residential housing types comprising the following:

- a. **Single Detached $\leq 1,200$ sq. ft.** - Same as Building Type "Single Detached," but containing a total footage less than or equal to 1,200 sq. ft.
- b. **Single Detached $> 1,200$ sq. ft.** - Same as Building Type "Single Detached," but containing a total footage greater than 1,200 sq. ft.
- c. **Single Detached (Zero Lot Line) $\leq 1,200$ sq. ft.** - Same as Building Type "Single Detached (Zero Lot Line)," but containing a total footage less than or equal to 1,200 sq. ft.
- d. **Single Detached (Zero Lot Line) $> 1,200$ sq. ft.** - Same as Building Type "Single Detached (Zero Lot Line)," but containing a total footage greater than 1,200 sq. ft.
- e. **Accessory Dwelling Unit** - Same as Building Type "Accessory Dwelling Unit."
- f. **Single Attached (2 units)** - Same as Building Type "Single Attached (Zero Lot Line)."
- g. **Duplex** - Same as Building Type "Duplex."

- h. **Attached (3 - 5 units)** - Same as Building Type “Attached,” but containing three to five dwelling units. Can include such housing types as townhouses, rowhouses, flats, and condominiums.
- i. **Attached (> 5 units)** - Same as Building Type “Attached,” but containing greater than five dwelling units. Can include such housing types as townhouses, rowhouses, flats, and condominiums.
- j. **Triplex** - Same as Building Type “Multi-Dwelling,” but containing three dwelling units.
- k. **Fourplex** - Same as Building Type “Multi-Dwelling,” but containing four dwelling units.
- l. **Apartment Buildings** - Same as Building Type “Multi-Dwelling,” but containing greater than four dwelling units.

Human Occupancy - Consistent with the definition for Habitable Space (Room) from section 209-H of the 1998 Oregon Structural Specialty Code. Refers to space in a structure for living, sleeping, eating, or cooking. Does not include bathrooms, toilet compartments, closets, halls, storage and utility spaces, and similar areas.

Human Scale - A synonym of pedestrian scale, human scale is an informal and relative standard. It suggests that the relationship between a person and the environment, whether natural or human-made, is comfortable, intimate, and contributes to the person's sense of accessibility. Additionally, human scale refers to the proportional relationship of a particular building, structure, or streetscape element to the human form and function.

Hydrodynamic Load - Force of water in motion.

Hydrostatic Load - Force of water at rest.

Improvement Plan - Maps or drawings showing the layout of improvements to be installed as a condition of approval for development.

Irrigation System - Manual or mechanically controlled method of supplying water to an area that needs it.

Kitchen - Any room used, intended, or designed for preparation of food and storage of food, including any room with a sink and either a 3/4-in. gas opening or provision for a range or stove.

Land Area, Net - See “Area, Net.”

Land Division - Land divided to create legally separate areas in one of the following ways:

- a. **Partition** - Division of land that creates three or fewer parcels within a calendar year when such parcels exist as a unit or contiguous units of land under single ownership at the beginning of the year. See also "Replat, Minor."

A partition does not include division of land resulting from any of the following:

1. Establishment or modification of a "tax lot" by the County Assessor;
2. A lien foreclosure, foreclosure of a recorded contract for the sale of real property, or creation of cemetery lots;
3. An adjustment of a property line where an additional unit of land is not created and where the existing unit of land reduced in size by the adjustment complies with any applicable zone criteria established by this Code; or
4. Sale or grant by a person to a public agency or public body for state highway, county road, city street, or other right-of-way purposes provided that such road or right-of-way complies with the applicable Comprehensive Plan policies and ORS 215.213 (2)(q)-(s) and 215.283 (2)(p)-(r). See "Lot Line Adjustment."

- b. **Subdivision** - Division of land that creates four or more lots within a calendar year when such lots exist as a unit or contiguous units of land under a single ownership at the beginning of such year. A subdivision does not include division of land resulting from any of the activities in "a." See also "Replat, Major."

Land, Parcel of - Unit of land with established boundaries or a unit of land created by a partition or subdivision.

Legal Nonconforming Development - Lawful existing structure or use that does not conform to current requirements of the Code, but which existed before this Code or any amendment to it became effective.

Legislative Decision - Formulation of policy characteristic of the actions by a city council. *Ex parte* contact requirements are not applicable to legislative hearings. In general, personal notice to citizens of proposed changes is not required, although this Code specifies that in some cases notice shall be mailed to property owners if a decision will change the land use designation. In general, the burden of being informed rests on the citizen. See also "Limited Land Use Decision" and "Quasi-Judicial Decision."

Limited Land Use Decision - Land use decision made by City staff through an administrative process and that qualifies as a Limited Land Use Decision under ORS 197.195. Limited land use decisions are included as part of General Developments.

Lot - Unit of land created from a subdivision and intended for immediate or future transfer of ownership and/or development. See also "Land, Parcel of" and "Parcel."

Lot Area - Total horizontal area within the lot lines of a lot.

Lot, Corner - Lot situated at the intersection of two streets, with the interior angle not exceeding 135 degrees.

Lot Coverage - Portion of a development site covered by building footprints, structures enclosed on one or more sides, parking areas, and vehicle circulation areas.

Lot Depth - Distance from the midpoint of the front lot line to the midpoint of the rear lot line.

Lot, Interior - Lot with frontage on only one street.

Lot Line - Property line bounding a lot.

Lot Line Adjustment - Relocation of a common property line, where no additional lots are created and the lot reduced in size complies with any applicable zoning regulations.

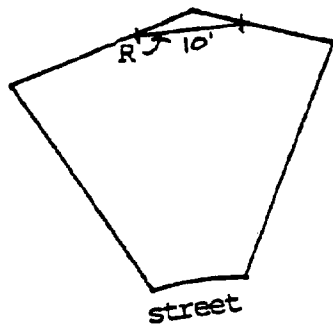
Lot Line, Front - In the case of an interior lot, a property line that abuts the public street right-of-way or private street within a separate tract. In the case of a corner lot or a lot where vehicular access is provided off an alley and there is no frontage on a public or private street, the front lot line is based on the structure's orientation and at least two of the following factors:

- a. Location of the front door;
- b. Location of the driveway (when accessed off a public or private street); and/or
- c. Legal street address.

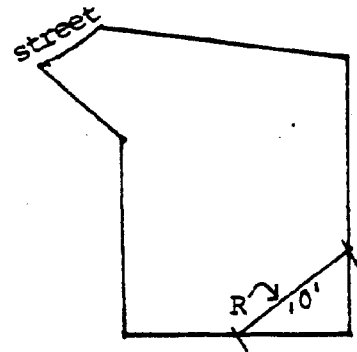
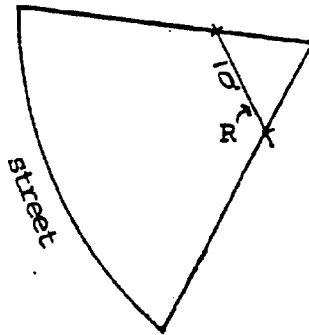
For the purposes of remodeling, rebuilding, constructing additions or accessory structures, etc., a corner lot's front lot line that was determined at the time of original construction of structure(s) on the lot may be considered valid.

Lot Line, Rear - Lot line or lines most distant from and generally opposite the front lot line. In the case of an interior triangular lot or a lot with more than four sides, however, the rear lot line is a straight line 10 ft. in length that:

- a. Runs parallel to the front lot line or its chord; and
- b. Intersects the other lot lines at points most distant from the front lot line (see figure below).



R = Rear Lot Line



Lot Line, Side - Lot boundary other than a front or rear lot line (see figure under Lot Line, Rear).

Lot of Record - Lot or parcel created through applicable land division regulations before adoption of this Code.

Lot, Reversed Corner - Corner lot with a rear lot line bordering the side yard of another lot. May or may not be separated by an alley.

Lot, Tax - Parcel of real property shown on the County Assessor's map and identified by a tax lot number. A tax lot is not necessarily a lot of record.

Lot, Through - Lot with both front and rear lot lines abutting streets.

Lot Width - Horizontal distance between the midpoints of side lot lines.

Lowest Floor - Lowest floor of the lowest enclosed area in a building, including a basement.

Manufactured Dwelling Facility - See "Building Types."

Manufactured Home - Dwelling constructed to U.S. Department of Housing and Urban Development (HUD) standards since June 15, 1976, but does not necessarily meet State Building Code standards.

Manufactured Home Space - Portion of a Manufactured Dwelling Facility (see Manufactured Dwelling Facility under "Building Types") designated for occupancy of a manufactured home or mobile home. Includes space for accessory structures and outdoor living areas, but excludes common areas (roadways, guest parking, etc.).

Manufactured Home Stand - Portion of the Manufactured Home Space (see above) reserved solely for the manufactured home or mobile home structure.

Ministerial Decision - Nondiscretionary decision made at City-staff level using the criteria and standards of this Code.

Mobile Home - Dwelling constructed for movement on public highways and constructed prior to adoption of the June 15, 1976, U.S. Housing and Urban Development (HUD) standards, but meeting the requirements of Oregon's mobile home laws in effect at the time of original construction.

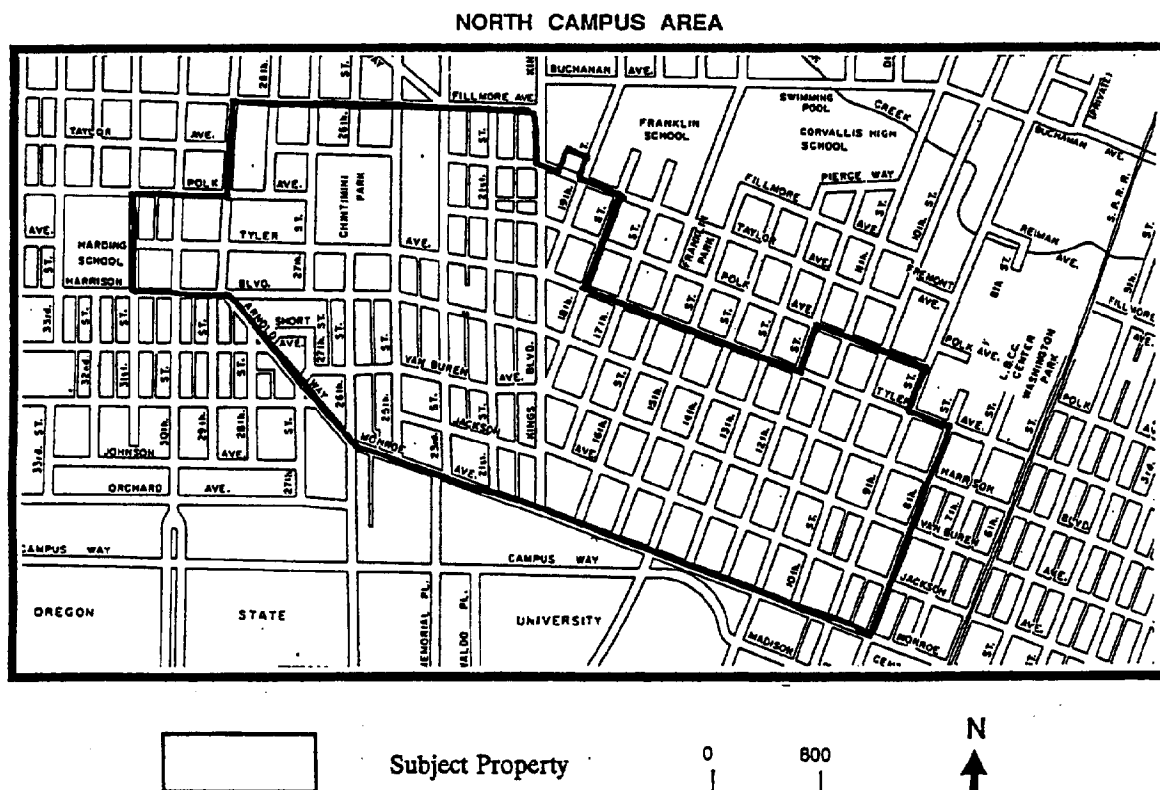
Mobile Home Park - See Manufactured Dwelling Facility under "Building Types."

Modular Structure - Structure built offsite but placed on a permanent foundation. Meets State Building Code standards.

National Geodetic Vertical Datum - Elevation reference mark used in determining a flood boundary and floodway maps, formerly referred to as Mean Sea Level.

Nonconforming Development - See "Legal Nonconforming Development." Also pertains to an unlawful existing structure or use that does not conform to the requirements of the Code or any of its predecessors.

North Campus Area - Area generally located north of Monroe Avenue, south of Fillmore Avenue, east of Arnold Avenue, west of Eighth Street, and as particularly described in City Ordinance 92-28.



Notice of Disposition - Written communication that specifies the action of a hearing authority or Director concerning a development proposal.

Nuisance - Interference with the enjoyment and use of property and is annoying, unpleasant, and/or obnoxious.

Office - Place designated for the civic and commercial use types of administrative services; business support services; financial, insurance and real estate services; medical services; and professional and research services. See Chapter 3.0 - Use Classifications for definitions of these use types.

Open Space - Undeveloped or predominately undeveloped land, including waterways, in and around an urban area. Open space lands are reserved for general community use, and include parks, preserves, general drainageway corridors, and other areas permanently precluded from development.

Order - Final disposition of a case, which can be affirmative, negative, injunctive, or declaratory in form. Includes grant, conditional grant, or denial of an application for development.

Outdoor Space, Common - Areas intended for common outdoor active or passive recreational use. Normally includes swimming pools, recreation courts, patios, open landscaped areas, preserved natural areas, and/or greenbelts with pedestrian, equestrian, and/or bicycle trails, etc. Does not include off-street parking, loading areas, or driveways. Can be privately owned and maintained, or dedicated to the City.

Outdoor Space, Private - Areas intended for private outdoor active or passive recreational use by residents of an individual dwelling unit. Normally includes patios and landscaped areas. Does not include off-street parking, loading areas, or driveways.

Overlay Zone - Zone created by ordinance in recognition of a property's or area's unique characteristics, such as environmental or historic resources or natural hazards; or a zone created by ordinance to signify that a Planned Development exists or is needed. An overlay zone is applied over the top of a property's main zone. For example, a Planned Development applied to all or a portion of a Low Density Residential (RS-6) property would result in a PD (RS-6) overlay zone.

Parcel - Unit of land created from a partition or subdivision and intended for immediate or future transfer of ownership and/or development. See also "Land, Parcel of" and "Lot."

Partition - See "Land Division."

Patio - Inner courtyard or a space for dining or recreation, adjacent to a dwelling, that has a permanent hard surface for a floor (not gravel).

Periodic Review - Process between the State, local governments, and others, requiring local governments to update their Comprehensive Plans and land use regulations to carry out State and local goals and objectives. Required every four to 10 years.

Permitted Outright - Development activity not subject to discretionary review. An example is a detached single-family residence in an RS-3.5 Zone.

Person - Individual, corporation, governmental agency, business trust, estate, personal trust, partnership, association, two or more people having a joint or common interest, or any other legal entity.

Planned Development - Land development project comprehensively planned as an entity via a unified site plan. Permits modifications to the site development standards of the underlying zone while maintaining the intent behind the standards. Often proposed to allow for better preservation of significant natural features and/or for innovation in site planning and architectural design. Requires compensating benefits that offset the requested development standard modifications.

Plat - See "Final Plat."

Plat, Partition - See "Final Plat, Partition."

Plat, Subdivision - See "Final Plat, Subdivision."

Practicable - Capable of being effected; feasible.

Principal Use - Primary or predominant use.

Quasi-Judicial Decision - Similar to a court proceeding in which affected parties are afforded procedural safeguards. The quasi-judicial process is characteristic of most meetings of the Planning Commission and Land Development Hearings Board. Personal notice must be mailed to property owners and occupants living within a prescribed distance from the affected area. Unlike legislative cases, the Planning Commissioners or Land Development Hearings Board members are expected to avoid outside discussion of the business at hand and must declare *ex parte* contacts. See also "Legislative Decision."

Replat, Major - Reconfiguration of lots in a recorded subdivision plat that results in the creation or deletion of four or more lots within one calendar year.

Replat, Minor - Reconfiguration of a portion of the lots in a recorded subdivision or partition plat that results in the creation or deletion of three or fewer lots within one calendar year.

Reserve Strip - Strip of land dedicated to the City and reserved for use as part of a future public street or facility.

Residential Care Facility - Facility licensed by the State to accommodate more than five and fewer than 15 mentally or physically handicapped, elderly, or drug- or alcohol-dependent persons. Does not include resident staff persons engaged in their care.

Right-of-Way - Public travel route dedicated for vehicular, bicycle, or pedestrian use. Can and often does contain public and franchise utilities.

Riparian Management Zone - Area within the Willamette River Greenway, extending from the edge of the waterway to either the top of the bank or to the 10-year flood plain, whichever is greater.

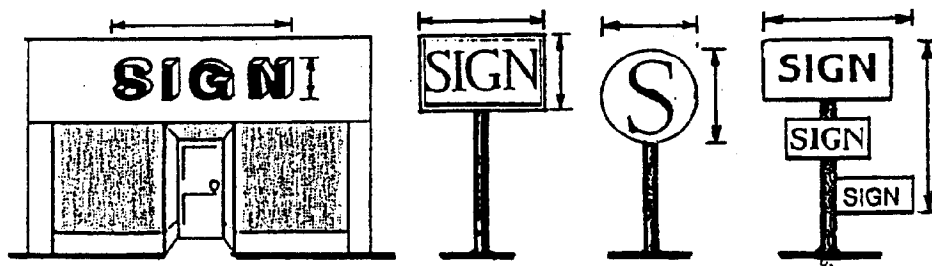
Setback - Minimum allowable horizontal distance from a property line (unless otherwise noted) to the nearest vertical wall of a building or structure, fence, or other element as defined by this Code.

Sign - Device or medium affixed to property (including the device or medium's structure, lighting, materials, and component parts) which by reason of its form, color, wording, symbol, design, and illumination, visually communicates, identifies, advertises, informs, announces, or attracts attention to the subject thereof.

Sign, Area - Square footage of a sign face within a single continuous rectilinear perimeter that encloses the extreme limits of a sign. Excludes the pole or base of free-standing signs.

Where a sign is more than 1 ft. thick, has more than two faces, or is three dimensional, the sign area calculation is based on 50 percent of the surface area of the four vertical faces of the smallest rectangular solid that can be formed around the sign.

The area of a sign on an awning, where the awning projects more than 6 ft. from the building face over a walkway to provide weather protection, is determined using the smallest rectangle around the graphic on the awning. A sign on an awning that projects less than 6 ft. shall be considered a three-dimensional sign.



Sign, Attached - Sign attached to the primary building on the subject property. Includes wall, projecting, fin, parapet, marquee, and awning signs.

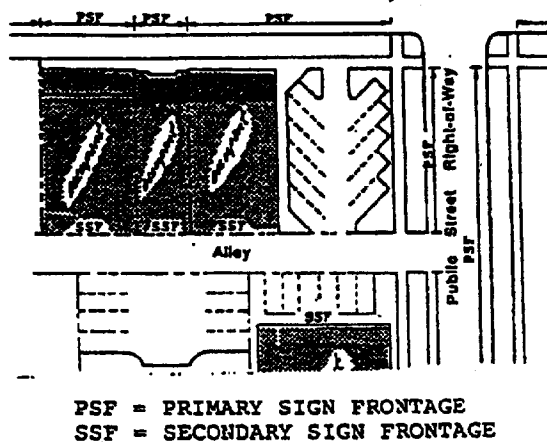
Sign, Blade - Narrow sign extending perpendicular to a building over a sidewalk.

Sign Clearance - Height measured from the highest grade directly beneath the sign to the bottom of the sign structure enclosing the sign face.

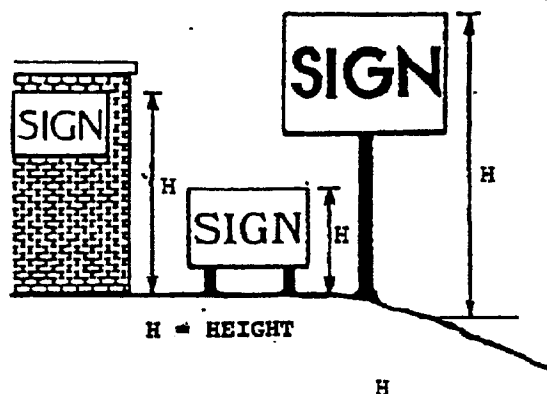
Sign, Detached - Structurally self-supporting sign not attached to a building, including pole, ground, and monument signs.

Sign Frontage, Primary - Length of the property line parallel to and along the street right-of-way adjacent to a property. On through-lots, primary frontage corresponds to the legal street address, auto entrance, building entrance, or front yard of the property.

Sign Frontage, Secondary - Face of a building oriented toward an onsite parking lot, private roadway, or public alley.



Sign Height - Height as measured from the lowest grade directly beneath the sign to the top of the sign structure enclosing the sign face.



Sign, Permanent - Sign permanently affixed or attached to a building, structure, or to the ground.

Sign, Temporary - Sign temporarily affixed or attached to a building, structure, or to the ground, and/or intended to be displayed for a limited time.

Significant Shrub - Living, standing plant over 4 ft. tall (excluding blackberries or poison oak and similar noxious vegetation).

Significant Tree - Living, standing woody plant with a trunk 8 in. or more in diameter at breast height (diameter at breast height - DBH).

Site - Lot or parcel of land or, when involved in a development proposal, any combination of contiguous lots or parcels of land.

Solar Access - Line-of-sight path to the sun during hours that provide beneficial use of solar energy.

Solar Access Easement - Private agreement between property owners that protects solar access. Solar easements are prepared and recorded pursuant to ORS 105.880-105.895.

Solar-Access-Friendly Trees - Trees with minimal effect on solar access during winter months because of their leafing and branching characteristics; deciduous trees.

Solar Access Protection - Right to unobstructed solar access for at least four hours between 9 a.m. and 3 p.m. on November 21 of each year.

Solar Building Line - Southern-most place that the south wall of a house can be located and still receive shade protection from buildings located offsite to the south.

Solar Collector - Heating or cooling system in which the thermal energy of solar radiation is captured and stored for later release.

Solar Energy System - Set of devices used to collect solar energy and convert and store it for purposes including heating and cooling of buildings or for the production of power.

- a. **Active** - Solar energy system that uses a separate collector to transform solar radiation into usable heat and a mechanical system to transfer heat to its point of use.
- b. **Passive** - Solar energy system that uses natural and architectural components to collect and store solar energy using minimal or no external mechanical equipment.

Solar Envelope - Drawing or representation by contour lines of a three-dimensional space over a lot or development site representing the allowable height of structures and vegetation that provides solar access protection for neighboring lots.

Solar South - Thirty degrees east to 30 degrees west of true south. In Corvallis, true south is 20 degrees east of magnetic south.

Special Development Decision - Development decision that requires considerable discretion in applying the criteria and standards of this Code. Involves a public hearing in accordance with the provisions in Chapter 2.0 - Public Hearings, as well as approval by an established hearing authority.

Special Zone - Zone created by ordinance in recognition of an area's unique characteristics such as environmental or historic resources, natural hazards, or an identified need for redevelopment.

Specification Standards - Measurable standards applicable to development. These standards contain the minimum requirements for design and construction of improvements covered by this Code.

Staff - Administrative officers responsible for the operation and management of the City's departments and divisions.

Streets - Designated in the City of Corvallis Transportation Plan as follows:

- a. **Arterial Highways** - These consist of State highways, which are the primary gateways into Corvallis and carry nearly all vehicles entering, leaving, or passing through the Corvallis area. The ORE 34/US 20 corridor is designated a Statewide Highway on the National Highway System (NHS) and is a key corridor between I-5 and the Oregon coast.
- b. **Arterial Streets** - These connect the State highways, linking major commercial, residential, industrial, and institutional areas. Arterial streets are critical to the Corvallis street network because they generally serve the highest traffic volumes and longest trips. Access control is critical on these facilities to ensure safe and efficient operation.
- c. **Collector Streets** - These provide both access and circulation within residential neighborhoods and commercial/industrial areas. Collectors differ from arterials in two ways:
 - 1. Controlled access may not be required for all collectors; and
 - 2. Collectors penetrate neighborhoods, distributing vehicles from the arterials through the area to their ultimate destinations.

The standard collector is characterized by a range of uses that typically result in a greater intensity of development along its route or at major intersections with other collectors or arterials.

- d. **Neighborhood Collector Streets** - These minimize the impact of traffic to adjacent land uses and provide necessary access to residential areas. Neighborhood collectors are similar to standard collectors in that controlled access is unnecessary and that they penetrate neighborhoods, distributing vehicles from the arterials through the area to their ultimate destinations. In the case of a neighborhood collector, however, land use along its route is generally low to medium density residential. The intensity of development at intersections along its route is also generally less intense than might occur for standard collectors. Traffic calming devices such as traffic circles, bulbed intersections, or speed humps are typical means of controlling traffic speeds on neighborhood collectors, and, if used, must be constructed at the time of development.
- e. **Cul-de-Sac** - Local street with one outlet and a turnaround. Because emphasis should be placed on the creation of a roughly rectilinear street pattern that encourages the dispersion of local traffic through a number of streets, the use of cul-de-sacs should be minimized. See Comprehensive Plan Policy 11.3.8).
- f. **Local Streets** - These provide access to immediately adjacent land. Although through-traffic movement on new local streets usually is deliberately discouraged, this may not be practical for particular neighborhoods. Local Connector or Local Street designations shall be applied to newly developing areas based on review of a street network plan and, in some cases, a traffic study provided with the development application. These designations are based on a number of factors, including density of development, anticipated traffic volumes, and the potential for through traffic. Street network plans must provide for connectivity within the transportation system to the extent that, generally, both local connector and local streets shall be created within a development. Identified traffic calming devices (bulbed intersections, etc.) are to be constructed at the time of development.
- g. **Local Connector Streets** - These provide some through-traffic functions within a particular development and access from local streets to arterials, collectors, neighborhood collectors, or other local streets. Local connectors are generally the means by which traffic accesses the community arterial-collector system.
- h. **Shopping Streets** - These are located within Neighborhood Centers and may include local, local connector, neighborhood collector, and/or collector streets. Access control and traffic calming along shopping streets shall be typical, sidewalks shall be wider to enhance special pedestrian accessibility and shopping opportunities, and planting strips shall be reduced or eliminated, provided that tree wells and other vegetation amenities are furnished and maintained (such as permanent on-ground or hanging planters).

Structure - Combination of materials to form a construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water.

Structure Height - See "Height of Buildings."

Subdivision - See "Land Division."

Substantial Damage - Damage to structures within the 100-year flood plain or damage to structures containing nonconforming uses, as defined below:

- a. **Substantial Damage to Structures within the 100-Year Flood Plain** - Damage of any origin sustained by a structure located within the 100-year flood plain, whereby the cost of restoring the structure to its prior condition would equal or exceed 50 percent of the structure's market value before the damage occurred. Substantial damage also pertains to flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the structure's market value before the damage occurred. Note: Pursuant to section 4.5.70 of Chapter 4.5 - Flood Control and Drainageway Provisions, new construction, substantial improvements, and encroachments are prohibited within the 0.2-ft.-rise floodway.
- b. **Substantial Damage to Structures Containing Nonconforming Uses** - Damage of any origin sustained by a structure containing a nonconforming use, to an extent exceeding 60 percent of the structure's market value before the damage occurred.

Substantial Improvement - Any rehabilitation, repair, reconstruction, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the structure's market value (before "start of construction"). Note: Pursuant to section 4.5.70 of Chapter 4.5 - Flood Control and Drainageway Provisions, new construction, substantial improvements, and encroachments are prohibited within the 0.2-ft.-rise floodway.

Substantial improvement exempts the following:

- a. Any improvement to a structure that would make it comply with existing state or local health, sanitary, or safety regulations to ensure safe living conditions; or
- b. Any alteration of a structure listed on the National Register of Historic Places.

Sunchart - Photograph showing the sun's positions during different hours and seasons of the year and any trees, buildings, or topographies that obstruct solar access. The sunchart shall include as coordinates the solar altitude in 10-degree increments and solar azimuth in 15-degree increments.

Through Lot - Lot that fronts two parallel streets or that fronts two streets that do not intersect at the lot's boundaries.

Through Lot Easement - Landscape easement adjacent to a street and adjacent to or part of a through lot. Contains landscape screening.

Traffic Calming - Use of devices to slow traffic speeds. Devices include bulbed intersections, speed humps, raised planted medians, mid-block curb extensions, traffic

circles, signage, and varied paving materials. Traffic calming is addressed in the Transportation Plan.

Use - Purpose of or activity on a site.

Use Type - Classification of a use or uses on the basis of common functional, product, or compatibility characteristics, thereby regulating uses in accordance with criteria directly relevant to the public interest. See Chapter 3.0 - Use Classifications for definitions of specific use types.

Vacate - Release of interest in a piece of property.

Vision Clearance Area - Triangular area located at the intersection of two streets, a street and a railroad, or a street and a driveway. The area is defined by a line across the corner, the ends of which are on the street or alley lines, an equal and specified distance from the corner. Specific distances and prohibitions on visual obstructions within vision clearance areas are contained in Chapter 4.1 - Parking, Loading, and Access Requirements.

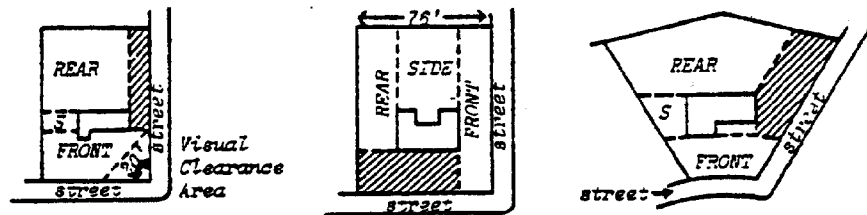
Visual Obstruction - Fence, hedge, tree, shrub, device, wall, or structure between the elevations of 2 ft. and 8 ft. above the adjacent curb height or above the elevation of the gutter line of a street edge where there is no curb, as determined by the City Engineer, and so located at a street, driveway, or alley intersection as to limit the visibility of pedestrians or persons in motor vehicles.

Water-Dependent - Use or activity that can be carried out only on, in, or adjacent to water areas because the use requires access to the water source or to the water body for water-borne transportation, recreation, or energy production.

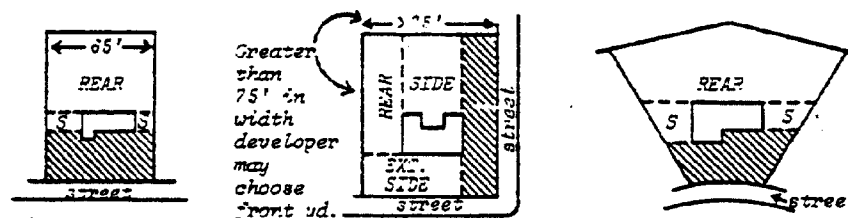
Water-Related - Use not directly dependent upon access to a water body, but that provides goods or services directly associated with water-dependent land or waterway use and that, if not located adjacent to water, would result in a public loss of quality in the goods or services offered. Residences, parking lots, spoil and dump sites, roads and highways, restaurants, businesses, factories, and manufactured home facilities are not generally considered water-dependent or water-related.

Yard - Open space unobstructed from the ground upward except as otherwise provided in this Code. In the case of a corner lot, the front, rear, and side yards that were determined at the time of original construction of structure(s) on the lot may be used for the purposes of remodeling, rebuilding, and/or constructing additions, accessory structures, etc.

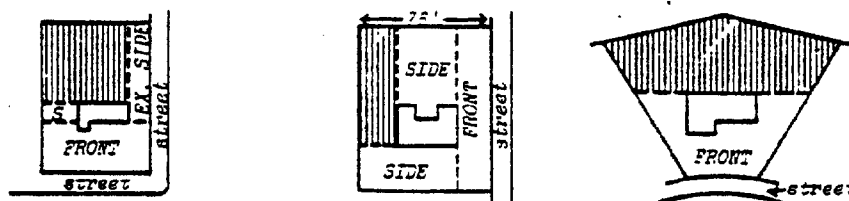
Yard, Exterior Side - Yard extending from the front yard to the rear lot line on the street side of a corner lot.



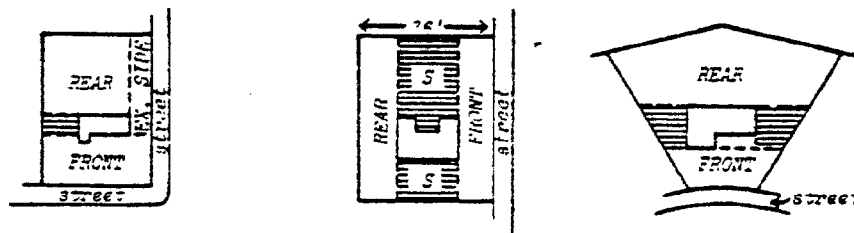
Yard, Front - Yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel to the nearest point of the main building.



Yard, Rear - Yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and a line parallel to the nearest point of the main building.



Yard, Side - Yard between the main building and the side lot line extending from the front yard or front lot line where no front yard is required, to the rear yard. The width of the required side yard is the minimum horizontal distance between the side lot line and a line parallel to the nearest point of the main building.



Zone - Area of land within City limits designated for specific types of permitted developments.